

To: Bybee, Darcy[darcy.bybee@dnr.mo.gov]
Cc: Wayne Graf[wayne.graf@dnr.mo.gov]; Emily Wilbur (emily.wilbur@dnr.mo.gov)[emily.wilbur@dnr.mo.gov]; Bechtel, Cheri[cheri.bechtel@dnr.mo.gov]; Kemp, Lachala[Kemp.Lachala@epa.gov]; Gonzalez, Larry[gonzalez.larry@epa.gov]; Casburn, Tracey[casburn.tracey@epa.gov]; Bertram, Gary[Bertram.Gary@epa.gov]; Crable, Gregory[Crable.Gregory@epa.gov]; Bhesania, Amy[Bhesania.Amy@epa.gov]
From: Casburn, Tracey
Sent: Tue 5/30/2017 7:10:48 PM
Subject: FW: Extension Request letter-Landfill Emission Guidelines
[Extension Request Letter EPA R7 Landfill Emission Guidelines.pdf](#)
[signed - letter - municipal solid waste landfills.pdf](#)
[fr notice landfills 90-daystay.pdf](#)

Darcy,

I just wanted to make sure that I passed along some information to the MDNR. The emissions guideline has been stayed for 90days pending its publication in the federal register. I am not certain of what action will take place at the expiration of that 90 days; I just wanted to let you know that we have not forgotten about this extension request. We continue to wait for guidance on how to proceed given the activity around this rule.

I've copied Larry Gonzalez as I believe he is the R7 POC for 111d related topics and Greg Crable as I believe he had a similar question from his state.

Thank you for your continued patience.

Tracey

From: Bechtel, Cheri [mailto:cheri.bechtel@dnr.mo.gov]
Sent: Wednesday, November 23, 2016 1:19 PM
To: Casburn, Tracey <casburn.tracey@epa.gov>
Cc: Algoe-Eakin, Amy <Algoe-Eakin.Amy@epa.gov>
Subject: Extension Request letter-Landfill Emission Guidelines

Ms. Casburn,

The subject letter is attached. Please let me know if anything else is needed.

Thank you,

Cheri Bechtel

Air Pollution Control Program

573-751-8308

cheri.bechtel@dnr.mo.gov

Promoting, Protecting and Enjoying our Natural Resources. Learn more at dnr.mo.gov.

To: Bertram, Gary[Bertram.Gary@epa.gov]; Burns, Ward[Burns.Ward@epa.gov]; Werner, Leslye[Werner.Leslye@epa.gov]
From: Smith, Mark A.
Sent: Wed 4/26/2017 1:52:50 PM
Subject: Fwd: Request for 111d plan submittal extension (Nebraska 111(d) plan for MSWL)
[Request for 111d submittal extension - 24 Apr 17.pdf](#)
[ATT00001.htm](#)

FYI.

Sent from my iPhone

Begin forwarded message:

From: "Weber, Rebecca" <Weber.Rebecca@epa.gov>
Date: April 25, 2017 at 2:04:11 PM MDT
To: "Smith, Mark A." <Smith.Marka@epa.gov>
Subject: Fwd: Request for 111d plan submittal extension (Nebraska 111(d) plan for MSWL)

Sent from my iPhone

Begin forwarded message:

From: "Wharton, Tracy" <tracy.wharton@nebraska.gov>
Date: April 25, 2017 at 4:00:36 PM EDT
To: "chu.edward@epa.gov" <chu.edward@epa.gov>
Cc: "jay.michael@epa.gov" <jay.michael@epa.gov>, "weber.rebecca@epa.gov" <weber.rebecca@epa.gov>
Subject: Request for 111d plan submittal extension (Nebraska 111(d) plan for MSWL)

Good afternoon,

Attached, you will find a scanned copy of a forthcoming letter to EPA Region 7 Administrator Chu signed by Director Macy. This letter serves as a request for extension of the submission deadline for Nebraska's state plan for the Emission Guidelines and Compliance Times for Municipal Solid Waste Landfills. A hard copy of the letter is forthcoming via U.S. mail.

Please feel free to contact us with any questions.

Respectfully,

Tracy Wharton

NAAQS-SIP COORDINATOR

Air Quality Division

Nebraska Department of Environmental Quality

1200 N Street, Suite 400

PO Box 98922

Lincoln, NE 68509-8922

PHONE: (402) 471-6410

<http://deg.ne.gov>



Mr. Edward Chu

Regional Administrator
U.S. EPA, Region VII
11201 Renner Boulevard
Lenexa, KS 66219

Re: Request for extension of the submission deadline for Nebraska's state plan for the Emission Guidelines and Compliance Times for Municipal Solid Waste Landfills

Dear Mr. Chu:

On August 29th, 2016, the U.S. Environmental Protection Agency (EPA) published the final rule, 40 CFR Part 60 Subpart Cf, Emission Guidelines and Compliance Times for Municipal Solid Waste Landfills [81 FR 59276]. According to the rule, the deadline to submit state plans is May 30th, 2017. The Nebraska Department of Environmental Quality's Air Quality Division respectfully requests an extension to submit Nebraska's state plan under 40 CFR Part 60 Subpart Cf.

Pursuant to 40 CFR 60.27(a), "The Administrator may, whenever he determines necessary, extend the period for submission of any plan or plan revision or portion thereof." At present, our Air Quality Division has developed a working draft of a state plan but must defer further action until our Environmental Quality Council approves proposed corresponding changes to state regulations, adopting the relevant sections of Subpart Cf. Once approval is obtained, the Air Quality Division will begin the required public comment period and hold the required public hearing. Due to the importance of stakeholder engagement along with the lengthy rulemaking process, the agency requests an extension until regulations can be updated and the required public involvement process can be completed. The state intends to submit a final plan to comply with the emission guidelines rule once this has occurred.

Thank you for your attention to this matter. If you have any questions regarding this request, please contact Mr. Kevin Stoner, Air Quality Division Administrator, at (402) 471-4299 or kevin.j.stoner@nebraska.gov.

Sincerely,

Jim Macy

Director, Nebraska Department of Environmental Quality



Mr. Edward Chu

Regional Administrator
U.S. EPA, Region VII
11201 Renner Boulevard
Lenexa, KS 66219

Re: Request for extension of the submission deadline for Nebraska's state plan for the Emission Guidelines and Compliance Times for Municipal Solid Waste Landfills

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Thank you for your attention to this matter. If you have any questions regarding this request, please contact Mr. Kevin Stoner, Air Quality Division Administrator, at (402) 471-4299 or kevin.j.stoner@nebraska.gov.

Sincerely,

Jim Macy

Director, Nebraska Department of Environmental Quality

**FFY2018-2019 Performance Partnership Grant
Missouri Department of Natural Resources
U.S. Environmental Protection Agency
Air 105 Workplan
October 1, 2017 – September 30, 2019**

Goal: Improving Air Quality		
Related Measures	Planned Accomplishments	Status/Comment
	<p>ACTIVITY: PERMITS</p> <p>Output:</p> <ol style="list-style-type: none"> 1. Issue 175 New Source Review Permits (non-Prevention of Significant Deterioration (PSD) construction permits). 2. Issue 100 basic and/or intermediate operating permits. <p>Activity: Continue Permitting efforts to remain in compliance with air quality standards. Permitting activities covered under this workplan are funded by S105 grant funds. No Title V fees will be used to fund these workplan activities.</p>	

Goal: Improving Air Quality		
Related Measures	Planned Accomplishments	Status/Comment
	<p>ACTIVITY – AIR PLANNING</p> <p>Output:</p> <ol style="list-style-type: none"> 1. Continue implementation of strategies to attain 2008 lead NAAQS in Buick/Vibunum Trend nonattainment area. 2. Develop Redesignation request and maintenance plan for Herculaneum nonattainment area under the 2008 lead NAAQS. 3. Conduct SO₂ air quality planning. 4. Work on any issues associated with the redesignation request for the Jefferson County nonattainment area under the 2010 SO₂ NAAQS. 5. Develop Redesignation request and maintenance plan for the Jackson County nonattainment area under the 2010 SO₂ NAAQS. 6. Work on remaining issues associated with the Data Requirements Rule under the 2010 SO₂ NAAQS and provide additional information as necessary. 7. Work on any remaining issues associated with redesignation requests for the St. Louis area for annual PM_{2.5} NAAQS. 8. Work on remaining issues associated with the redesignation request package for the St. Louis nonattainment area under the 2008 Ozone NAAQS. 9. Track boundary recommendation process for the 2015 Ozone NAAQS and respond to any requests for information. Develop infrastructure SIP as appropriate. 10. Continue supporting IACG and transportation conformity program activities for St. Louis. Work with Interagency Consultation Group (IACG) as appropriate to update mobile SIP budgets in response to changing needs such as transition to updated versions of the MOVES model or other changes 11. Address interstate transport requirements under CAA Section 110(a)(2)(D)(i)(I) for any NAAQS if EPA quantifies a significant contribution obligation for Missouri for that NAAQS. 12. Develop regional haze SIPs for the second implementation period. Consult with 	

	<p>Federal Land Managers, other states and regional planning organizations as needed.</p> <p>ACTIVITY: AIR PLANNING (CONTINUED)</p> <p>14. Submit state-promulgated allocation decisions to EPA for incorporation into unit accounts.</p> <p>15. Assist sources with monitor certifications and recertifications, emissions monitoring and reporting.</p> <p>16. As resources allow, perform electronic and field audits of monitor certifications, Part 75 continuous emissions monitoring systems (CEMS), and emissions reporting by sources. Perform Part 75 CEMS field audits in accordance with EPA 430-B-96-038. Provide electronic or hard copy reports of the audits and any corrective actions needed to the EPA Regional Office and HQ. EPA encourages states to submit the Part 75 CEMS field audit reports using the Field Audit Checking Tool (FACT) developed by EPA to simplify and streamline the field audit process. (Multi-Purpose Grant funds may be used for this item.)</p> <p>17. Track resolution of MSW Landfill Emission Guidelines/111d requirements. Respond as appropriate.</p> <p>Activity: Continue Planning efforts to remain in compliance with air quality standards.</p>	
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Goal: Improving Air Quality		
Related Measures	Planned Accomplishments	Status/Comment
	<p>ACTIVITY: AIR TOXICS</p> <p>Output:</p> <ol style="list-style-type: none"> 1. Adopt required federal MACT, NESHAP, and NSPS standards along with NSR updates to maintain delegation. Until adequate additional funding is obtained to support the increased work load associated with enforcement of the GACT (area source) requirements, MoDNR is not accepting delegation of enforcement authority for the recently promulgated area source requirements. 2. As resources allow, work with communities to develop and implement voluntary air toxics programs that address outdoor, indoor, and mobile sources. <p>Activity: Continue Planning efforts to remain in compliance with air quality standards.</p>	

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Goal: Improving Air Quality		
Related Measures	Planned Accomplishments	Status/Comment
	<p>ACTIVITY: MONITORING AND EMISSIONS INVENTORY</p> <p>Output: <u>Ambient Monitoring for Criteria Pollutants</u></p> <ol style="list-style-type: none"> 1. Submit 2018 annual network plan by July 1, 2018, unless another schedule has been discussed. 2. Operate the NO₂, CO, and PM_{2.5} near-roadway monitoring network consistent with 40 CFR 58. 3. Operate monitors for other NAAQS pollutants, NCore, PM_{2.5} speciation, according to 40 CFR Part 58, approved monitoring plans, and/or grant agreements including QMPs and QAPPs. (NPM Guidance Measures M10) 4. Submit NAAQS pollutant data, NCore, and QA data to AQS according to schedule in 40 CFR Part 58. (NPM Guidance Measures M11) 5. Certify 2017 NAAQS pollutant data in AQS and provide supporting documentation by May 1, 2018, including exceptional event flags as needed. 6. Ensure adequate independent QA audits of NAAQS monitors including PEP and NPAP or equivalent. 7. Conduct monthly QA checks for flow rates of PM_{2.5} speciation monitors and submit data quarterly to AQS. Target is for 75% completeness. 8. Report real time data to AirNow for cities required to report the AQL. 9. When the Exchange Network (EN) System is functional, the state will begin submitting information to the Air Quality System (AQS) in Extensible Markup Language (XML) format using an Exchange Network Node. 10. Pending the successful implementation of the EN Project OS83605501-0 the state will terminate use of the Central Data Exchange (CDX) Web application method for reporting data to AQS as soon as possible. Currently our State ITSD is planning to upgrade the EN-Node flow components to EPA's XML Schema Version 3.0 which will facilitate this data exchange process. 11. As historically funded, the operation and maintenance costs for AQS reporting will 	

	<p>continue to be funded from the categorical program grant.</p> <p>ACTIVITY: MONITORING AND EMISSIONS INVENTORY (CONTINUED)</p> <p>12. Region VII may conduct annual performance audits in consultation with MoDNR staff for particular sites in the monitoring network. APCP and EPA will discuss and address findings from such evaluation.</p> <p><u>Ambient Air Monitoring for Toxics</u></p> <p>13. Operate NATTS sites according to EPA's technical guidance and the QAPP and QMP (NPM Guidance Measures M20).</p> <p>14. Participate in inter-laboratory Proficiency Testing and Technical System Audit programs according to national guidance and the approved QAPP and QMP.</p> <p>15. Submit NATTS data to AQS quarterly within 120 days of end of each quarter. The data objective for completeness rate is 85% of the potential concentration values for each quarter. MoDNR submits black carbon data to AQS. EPA's contractor Eastern Research Group (ERG) submits the concentrations for all other NATTS parameters to AQS.</p> <p>16. Conduct data analysis and assessment of air toxics monitoring data.</p> <p>17. Photo Chemical Assessment Monitoring Station (PAMS) Continue planning for the implementation of the PAMS site at the Blair St., St. Louis NCore monitoring station. Timing of the PAMS mobilization activities is dependent on available funding. If future federal 105 air allocations do not increase, reductions in other ambient monitoring projects will be necessary to offset the additional cost of the PAMS project.</p> <p><u>Emissions Inventory</u></p> <p>18. Develop and submit a criteria pollutant emission inventory for 2016 to the Emissions Inventory System (EIS) as prescribed by the Air Emissions Reporting Rule (AERR). The deadline for submitting 2016 point source data to the EIS is December 31, 2017.</p> <p>19. Review EPA updates of Missouri data for accuracy on the 2014 NEI. Prepare for the 2017 Triennial NEI.</p> <p>20. Update and implement the Emissions Inventory QAPP by September 30, 2017. Revisions to the QAPP are needed after EPA promulgated revisions to the AERR in 2014. Document point source quality assurance as needed to support SIP revisions.</p> <p>21. As resources allow, develop and submit a 2016 point sources air toxics inventory by December 31, 2017.</p>	
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	Activity: Continue monitoring air pollution efforts to ensure compliance with air quality standards.	
Goal: Improving Air Quality		
Related Measures	Planned Accomplishments	Status/Comment
	<p>ACTIVITY: ENFORCEMENT</p> <p>Output:</p> <ol style="list-style-type: none"> 1. Conduct 600 inspections of regulated air contaminant sources, not subject to Part 70. These will include intermediate and basic sources and projects/sources subject to NSPS, MACT, or NESHAP (including asbestos and demolition projects*) regulations. 2. Conduct timely and appropriate enforcement actions for non-Part 70 sources, including projects subject to the asbestos NESHAP as needed. 3. Observe and/or evaluate emission tests. 4. MoDNR will develop and implement a Compliance and Inspection Plan (inspection lists) for each fiscal year. 5. High priority violations (HPVs) will be addressed by MoDNR and EPA by following the most recent version of the Policy on Timely & Appropriate Enforcement to High Priority Violation. <p>The Department anticipates continuing efforts at implementing the requirements of the asbestos NESHAP, 40 CFR Part 61, Subpart M. These efforts will include inspections and enforcement actions, as appropriate.</p> <p>Activity: Continue Enforcement efforts to ensure compliance with air quality standards, as appropriate.</p>	

**FFY2018-2019 Performance Partnership Grant
Missouri Department of Natural Resources
U.S. Environmental Protection Agency
Air 105 Workplan
October 1, 2017 – September 30, 2019**

Goal: Improving Air Quality		
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Action Memoranda Accompanying Regulatory Packages Submitted for Administrator Signature

(updated [date])

Background

This document provides guidance on developing an action memorandum. The attached template focuses only on those action memoranda prepared for the Administrator.

An action memorandum is not a decision document nor does it provide a means of documenting previous decisions. It provides a recommendation from the recommending official to the Administrator, and also offers a succinct rationale for the action and a clear and concise explanation of the action to inform the Administrator's decision. The memo should be signed by the recommending official (usually the Assistant Administrator (AA) or Regional Administrator (RA)) and should receive the personal attention of the recommending official.

A signed action memorandum is to be included with all regulatory packages brought to the Administrator for signature. Also, a copy of the draft action memorandum should be included as part of (1) the Final Agency Review (FAR) package that is circulated to participating offices for final review and (2) the package that is submitted to the Office of Policy (OP) to initiate interagency review by the Office of Management and Budget (OMB). Note that the memo does not go to OMB: It is just part of the package.

You may or may not be asked by your program office to produce similar memos for actions signed by a delegated official other than the Administrator; this guidance and template do not cover such instances. Speak with your program office's Regulatory Steering Committee (RSC) member or Regional Regulatory Contact (RRC) to learn what office-specific procedures may exist.

Guidelines for Using This Template

Instructions for each section of an action memorandum are provided within the attached template. Use of this template will provide a consistency among the documents received for Administrator signature. You should be able to copy and paste the entire template into a Word document to begin creating your action memorandum (note you will need to fix the page numbering). Please be aware that formatting may or may not be altered when you copy the template into another document. Your program office's RSC or RCC member may also have a Template for you to use that reflects the expectations of your AA or RA.

As with other Action Development Process (ADP) guidance and templates, template text provided herein that appears in regular font and black ink should be inserted into your document without significant changes. Instructions on additional text to insert appear as bolded blue text in square brackets [like this]. Text that appears within blue curly brackets {like this} is optional to

include and may be omitted without further consultation. Once you insert the appropriate text, please remove the brackets, instructions, color and unnecessary formatting from your document.

As indicated by the use of non-mandatory language such as “should,” “recommend” and “may,” this document provides recommendations and does not impose any legally binding requirements. Programs may include information on additional topics if they are relevant to a given action (e.g., information quality issues).

While preparing your action memorandum, please consider the following tips:

- Keep your memo to 4 pages or fewer – AO staff have indicated that shorter memos are preferred; use attachments if you need to include longer descriptions.
 - Note that four sections of the action memorandum are often copied and used for communication in various emails, as well as preparation of “top-line” materials.
 - Deadline/Timelines
 - Description of the Action
 - Stakeholder Involvement and Anticipated Response
 - Management Concerns
 - It is helpful if this information can fit on a single page.
- Be clear and concise -- use plain English and refrain from copying technical language from your action’s preamble or regulatory text.
- In the header or footer of each page, insert: Internal, Deliberative Document – Do Not Cite, Quote or Distribute.
 - This header or footer is never removed; an action memorandum is always internal agency correspondence.
- For the most part follow the EPA’s *Correspondence Manual* (<http://intranet.epa.gov/agcyintr/manual/>) guidance. However, because an action memo is always an “internal only” document, some stylistic choices are possible provided that these choices are used consistently through-out the document:
 - Contractions: Do not use them.
 - Printing: Double-sided.
 - Ink: Print in black ink when printing. Signing officials may sign in blue or black ink. No other colors for official correspondence, aside from whatever colors may be on your letterhead.
 - Typeface:
 - Choice of Font: 12 point, Times New Roman or 11 point Calibri
 - Spacing:
 - Lines should be single spaced, but leave one blank line between each paragraph. For headings, one blank line should be above the heading and zero blank lines should be below the heading.
 - One space between each sentence and all punctuation marks.
 - Choice of Indentation: Indent the first line of the paragraph – one tab (half inch), or use block paragraph style and do not indent the first line of a paragraph.

- Margins:
 - 1-inch on all four sides is preferred by AO staff.
 - Align left for normal text. Do not center, justify or right-align. You may deviate from left justification when formatting bulleted or numbered lists, quotes or other special passages.
 - Seven or eight hard returns should align the first line of text on the first page of the document, so that the first line is just below the office name that appears on the right-hand side of standard letterhead.
 - Page numbers:
 - Use for memos consisting of three or more pages, and then begin numbering with page 2.
 - Center the page number in the footer.
 - Do not enclose the page number in quotes, dashes or parentheses.
 - Acronyms:
 - Because this is an “internal only” document, the use of acronyms – without prior definition -- that are commonly known through-out EPA is permissible. This could include EPA, OMB, OGC, major program offices, or statutes such as CAA, CWA, or TSCA.
 - For acronyms that are not commonly known through-out EPA, spell-out the acronym or abbreviation wherever first-used. There is a choice of:
 - Following the spelled-out name with the acronym or abbreviation in parentheses.
 - Not following the spelled-out name with an acronym or abbreviation in parentheses. Note that if an acronym or abbreviation would not be clear on second reference without this arrangement, do not use the acronym, and instead spell-out again
 - Attachments:
 - Each document that accompanies your memo (e.g., the document signed by the Administrator that will be published in the *Federal Register*, a regulatory impact analysis, an economic analysis) is considered an attachment.
 - Each memo will have at least one attachment – the document to be signed.
-

MEMORANDUM

SUBJECT: [Stage (e.g., Advance Notice of Proposed Rulemaking, Proposed Rule, or Final Rule): Title of Action] (Tier [insert number]; SAN [insert number]; RIN [insert number]) – **ACTION MEMORANDUM**

[Here is an example:

Proposed Rule: CERCLA/EPCRA Administrative Reporting Exemption for Air Releases of Hazardous Substances from Animal Waste (Tier 2; SAN 5117; RIN 2050-AG37) – **ACTION MEMORANDUM**]

FROM: [Insert the name of your Assistant or Regional Administrator]
[Insert “Assistant” or “Regional”] Administrator

THRU: Office of Policy (1803A)
Office of Executive Secretariat (1105A)

TO: E. Scott Pruitt
Administrator (1101A)

[Remember that shorter memos are preferred; EPA maintains a variety of records and therefore an action memorandum does not need to duplicate these records. Most issues are resolved prior to the document’s being submitted for signature; therefore, focus on the issues that senior decision-makers need to know.

Be clear and concise: use plain language throughout. Write this memo so that the Administrator’s Office, as well as any other officials reading this memorandum, can clearly understand the action being taken and its impact.]

PURPOSE

Attached for your signature is a [insert stage (e.g., advance notice of proposed rulemaking, proposed rule, final rule)], titled [Title of Action].

DEADLINE/TIMELINES

[If there is a deadline for this stage of the action, indicate the deadline date and the type of deadline (e.g., statutory or court-ordered). Be clear about whether the deadline applies to signature or publication.

If the deadline applies to the final rule, and this is the proposed rule, include the information on the final rule deadline.

If no deadline exists, simply state: “No deadlines apply to this action.”

Also, if there are other timelines or priorities that are influencing the date by which the action

needs to occur, then include that information here.]

DESCRIPTION of the ACTION

- Provide the authority for the action and describe why EPA is required to take action or if discretionary, how the action would reduce burden or is deregulatory;
- Provide the goal of the action
- Concisely describe the specific environmental issue(s), public health problem(s) and/or statutory requirements being addressed
- If this action is a final rule, then describe the proposed rule:
 - Date of publication and FR citation
 - Close of comment period
 - Indicate that EPA has evaluated the comments, and that all comments were addressed.
- Describe implementation flexibilities provided, particularly for states and regulated entities]

STAKEHOLDER INVOLVEMENT and ANTICIPATED RESPONSE

[Briefly discuss the role of state, local and tribal government entities and private sector stakeholders (e.g., regulated entities, NGOs, academia) in the development of the action. Summarize their concerns and what the agency has done to address them, or explain why the agency cannot address them. Characterize the likely reaction to the action by, as appropriate, industry; environmental groups; Congress; state, local and tribal governments; and the Office of Management and Budget. Explain what the agency has done to mitigate anticipated adverse reactions.]

INTERNAL DEVELOPMENT AND REVIEW PROCESS

[State: “This is a Tier “1, 2 or 3 action.” Identify the program offices and Regions that participated in the development of the action. Provide the date of the FAR meeting or the date that FAR concluded along with a statement that all offices concurred. If all offices did not concur, then provide information about any outstanding issues from the development process and why they cannot be resolved or accommodated.]

INTERAGENCY REVIEW

[Identify the determination by OMB (e.g., significant, non-significant, exempt, waived).]

[If the action went to OMB for interagency review, provide the date that OMB concluded review. Concisely highlight significant issues resulting from OMB review, including any significant issues raised by other agencies participating in the interagency review. Concisely, explain any substantive changes made to the action as a result of recommendations from OMB or the other agencies. Typically, all the changes made during OMB review are in the docket, so this section does not need to be lengthy.]

[Note, for a significant action, that you will not be able to complete this section until after OMB completes its review; therefore, this section generally will not be complete when you circulate the draft Action Memorandum with the FAR package and the EO 12866 review package to OMB. Provide what detail you can when circulating the draft memorandum.)]

IMPACTS

[Identify who is impacted by the action, along with their role, and summarize the costs and benefits of the action – including a discussion of any non-monetized benefits and/or non-quantified benefits – and the results of any economic analyses. As appropriate under individual statutes, explain how cost-benefit analyses helped to shape the approach chosen.]

This section of the action memo should contain a short statement that discusses whether the action was developed in accordance with agency guidance on environmental justice and a brief synopsis of any environmental justice outreach or impacts.]

{Use an attachment to provide any additional economic impact detail and to summarize, as applicable, the regulatory flexibility analysis and Small Business Advocacy Review (SBAR) Panel recommendations as well as additional information on compliance with agency guidance on environmental justice and related analyses, if needed. Also, this attachment may describe impacts on affected entities, such as other federal agencies, states, local governments, tribes, paperwork burdens, children’s health, environmental justice populations, climate change, etc., that you are likely to discuss in the “Statutory and Executive Order” section of your rule’s preamble or in other contexts. Consider using a table to display estimates (i.e., use the Circular A-4 table required for economically significant rules, even if your rule is not economically significant). }

{This attachment should be succinct and focused on salient issues that senior decision-makers in the Office of the Administrator need to know.}

PEER REVIEW

[If you did not use influential scientific information or a highly influential scientific assessment as defined by the EPA’s *Peer Review Handbook* (<http://www.epa.gov/peerreview/pdfs/prhandbk.pdf>) to support the action, include the following statement in the Action Memorandum: There were no influential or highly influential products supporting this action as defined by the agency’s *Peer Review Handbook*.]

[If you did use influential scientific information or a highly influential scientific assessment to support the action, include the following statement: [Insert Name of AAship] has followed the agency’s Peer Review Policy with respect to the underlying [influential scientific information or highly influential scientific assessment] supporting this action.]

[You may add any details you think are important, but you generally should not modify this compliance statement. If you used influential scientific information or a highly influential scientific assessment, but were not fully able to meet the Peer Review Policy, explain why.]

MANAGEMENT CONCERNS

[Are there any remaining concerns that could not be addressed?]

RECOMMENDATION

[Recommend an action the Administrator should take (i.e., sign the rule or other document). Here is an example: I recommend that you sign the attached rulemaking.]

Attachment{s (insert number of attachments, if more than one)}

[Type Attachment three lines below the memorandum body, flush with the left-hand margin, to indicate that a rule is attached for signature. For more than one identified attachment, use the plural form Attachments and indicate the number of attachments.

Attachment

Attachments (3)

Number and list each attachment on a separate line. If more than one line is needed for any listed attachment, continue the information on a succeeding line aligned with the first character of the name of the attachment.]

[NOTE: Where an Action Memorandum accompanies another document (e.g., a rule or *Federal Register* document) to be signed by the Administrator, do not include a concurrence line at the bottom of the Action Memorandum or anything else that might cause the Action Memorandum to be misinterpreted to be a Decision Memo, which it is not. After signature, the *Federal Register* notice (or other document such as an order) will contain the agency's decision or action (if any). The Action Memorandum is only a pre-decisional briefing document.]

{Add a "cc" line if you are sending a copy of the action memorandum to others. Do not include a courtesy title such as Mr. or Mrs. The "cc" line should be flush left and two lines below your text or the "Attachment/Attachments" line. Two spaces follow the colon after "cc." If a courtesy copy list is too long to fit in a single column at the bottom of the memorandum, a separate distribution list is permitted and should be referenced in the Attachments.}



Mr. Edward Chu

Regional Administrator
U.S. EPA, Region VII
11201 Renner Boulevard
Lenexa, KS 66219

Re: Request for extension of the submission deadline for Nebraska's state plan for the Emission Guidelines and Compliance Times for Municipal Solid Waste Landfills

Dear Mr. Chu:

On August 29th, 2016, the U.S. Environmental Protection Agency (EPA) published the final rule, 40 CFR Part 60 Subpart Cf, Emission Guidelines and Compliance Times for Municipal Solid Waste Landfills [81 FR 59276]. According to the rule, the deadline to submit state plans is May 30th, 2017. The Nebraska Department of Environmental Quality's Air Quality Division respectfully requests an extension to submit Nebraska's state plan under 40 CFR Part 60 Subpart Cf.

Pursuant to 40 CFR 60.27(a), "The Administrator may, whenever he determines necessary, extend the period for submission of any plan or plan revision or portion thereof." At present, our Air Quality Division has developed a working draft of a state plan but must defer further action until our Environmental Quality Council approves proposed corresponding changes to state regulations, adopting the relevant sections of Subpart Cf. Once approval is obtained, the Air Quality Division will begin the required public comment period and hold the required public hearing. Due to the importance of stakeholder engagement along with the lengthy rulemaking process, the agency requests an extension until regulations can be updated and the required public involvement process can be completed. The state intends to submit a final plan to comply with the emission guidelines rule once this has occurred.

Thank you for your attention to this matter. If you have any questions regarding this request, please contact Mr. Kevin Stoner, Air Quality Division Administrator, at (402) 471-4299 or kevin.j.stoner@nebraska.gov.

Sincerely,

Jim Macy

Director, Nebraska Department of Environmental Quality